IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 22470 of 2004

Between:

People Awareness and Rural Infrastructure Development Society, Registered under the Provisions of the A.P. Societies Registration Act, having its Office at D.No.4-1-71, Somavaripet, Nirmal Town, Adilabad District, rep by its President, A.Kamaladhar Gupta, S//o.Gangadhar, aged 46 years Occu: Social Worker and

..... PETITIONER

AND

1 The Principal Secretary, Government of A.P., Revenue

Department Secretariat, Hyderabad.
2 Inspector General of Stamps and Registration A.P.Hyderabad,

at Ramakrishna Studio, Charminar X Roads, Musheerabad A.P.
3 The District Collector Adilabad District at Adilabad.
4 The Revenue Divisional Officer Nirmal Division, Adilabad District.
5 The Mandal Revenue Officer Nirmal, Adilabad District.
6 The Commissioner, Nirmal Municipality, Adilabad District.
7 Chilamanthula Kishan S/o.Narayana, C/o.M.D.Om auto and

General Finance N and R Market, Nirmal Town, Adilabad

District.
8 Nune Narendar S/o.Purushotham
C/o.M.D.Om auto and General Finance N & R Market, Nirmal

Town, Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order direction or writ more particularly one in the nature of writ of Mandamus i) declaring the action of the respondents in not initiating any action on the representation of the petitioner as arbitrary illegal, unreasonable, unjust and opposed to the rule of law ii) direct the 1st Respondent to conduct enquiry as regards the transaction i.e., regularization agreement of sale dated 21.7.1984 by declaring the same as illegal and unlawful iii) initiate necessary action against the erring officials who are responsible for the said unlawful and illegal transaction, resulting in huge revenue loss to the state exchequer iv) direct the respondents to restore the vacant shikam/kandakh land (Dharmasagar Tank/Cheruvu) by demolishing existing illegal and unlawful structures in and over the shikam/kandhak land, by discharging the statutory obligations/duties imposed there under the Act and to prevent further constructions in the shikam/kandakh land (Dharmasagar Tank), Nirmal Adilabad district and pass such other order or orders in the circumstances of the case.

Counsel for the Petitioner:MR.P.PURUSHOTHAM REDDY

Counsel for Respondents 1 to 5: GP FOR REVENUE

Counsel for Respondent No.6:Mr.Polisetti Radhakrishna, Standing Counsel for Municipalities.

Counsel for Respondents 7 & 8:Mr.S.Niranjan Reddy

The Court at the admission stage made the following :

<u>O R D E R:</u> (Per the Hon'ble Sri Bilal Nazki, ACJ):

Heard learned counsel for the parties.

The grievance of the petitioner in public interest is that the Government is not taking any action on his representation regarding regularization of agreement of sale deed dated 21-07-1984 in between the vendor and respondents 7 and 8. According to him, no regularization could be effected on the basis of an agreement of sale because the land was not agricultural land. Regularization has been made in the year 1997. Respondents 3 to 5 have stated in their counter that regularization was *bona fide* and if any party was aggrieved, he could have filed an appeal before the appropriate authority. Respondent No.2 has filed an affidavit, which he claims to be an affidavit on his behalf and also on behalf of respondent No.1, in which they have stated that the matter is under the examination of the Government. In these circumstances, no further orders are needed to be passed in this writ petition, since

the Government is already seized of the matter.

The writ petition is accordingly disposed of. No order as to costs.

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(Bilal Nazki, ACJ)

21st April, 2005.

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(Dr.G.Yethirajulu,J)

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To

1 The Principal Secretary, Government of A.P., Revenue

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5 The Mandal Revenue Officer Nirmal, Adilabad District.
6 The Commissioner, Nirmal Municipality, Adilabad District.
7 Two C.Cs to the Government Pleader for Revenue, High Court

Buildings, A.P., Hyderabad (OUT)

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